

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Juanel Anthony Mikulak El Bay,

Civil No. 19-34 (MJD/ECW)

Petitioner,

v.

Order

Dakota County Sheriff's Office,
Tim Leslie and Dakota County Jail,

Respondents.

Petitioner is *pro se*.

Heather Pipenhagen, Assistant Dakota County Attorney, Counsel for
Respondents.

The above matter comes before the Court upon the Report and
Recommendation of United States Magistrate Judge Elizabeth Cowen Wright
dated February 19, 2019 recommending that this Court deny his petition for
habeas relief without prejudice. Petitioner objects to the Report and
Recommendation, claiming he is being prosecuted in bad faith, his rights are
being violated and his Peace and Friendship Treaty is not being honored.

Pursuant to statute, the Court has conducted a de novo review of the record. 28 U.S.C. § 636(b)(1); Local Rule 72.2(b). Based upon that review, the Court will ADOPT the Report and Recommendation in its entirety.

IT IS HEREBY ORDERED that:

1. The Petition (Doc. No. 1) is **DENIED WITHOUT PREJUDICE**;
2. The IFP Application (Doc. No. 2) is **DENIED AS MOOT**;
3. This matter is **DISMISSED**; and
4. The Court will not issue a certificate of appealability.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Date: March 28, 2019

s/ Michael J. Davis

MICHAEL J. DAVIS

United States District Court